THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.11593 of 2007

Date : 13-9-2007

Between :

P. Rosaiah s/o.Erukalaiah,
Fair Price Shop Dealer,
Vengapadu Mazara Eguvapalli village,
Kanigiri Mandal, Kandukur Division,
Prakasam District. ..
Petitioner

And

The District Collector (Civil Supplies),
Prakasam District, Ongole
and two others ..
Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.11593 of 2007

ORDER:

1. This Court issued *rule nisi* on 7-6-2007.

2. Heard Sri Koti Reddy, Counsel representing the writ petitioner and the learned Assistant Government Pleader for Civil Supplies.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the 1st respondent in not disposing of the stay petition filed along with the Revision pending before him which is filed aggrieved by the proceedings Rc.F.2103/2006, dated 24-9-2006 passed by the 3rd respondent and the consequential proceedings in Rc.CS2/2838/2006, dated 21-2-2006 passed by the 2nd respondent as illegal, irregular, arbitrary and unconstitutional and against the principles of natural

justice and contrary to the provisions of Essential Commodities Act and to pass such other orders.

4. It is stated that the petitioner is running Fair Price Shop in Yeguvapalli village, Kanigiri Mandal, Prakasam District since the last 25 years without any complaint whatsoever. It is also stated that on 22-3-2006, the 3rd respondent issued show cause notice to the petitioner with false allegations and on 3-4-2006 the petitioner gave explanation to the same. However, on 24-8-2006 the 3rd respondent suspended the authorization of the petitioner as a Fair Price Shop dealer. Aggrieved by the same, the petitioner filed an Appeal before the 2nd respondent. On 21-2-2007, the 2nd respondent disposed of the Appeal by remanding the same to the 3rd respondent for conducting fresh enquiry. It is also stated that the petitioner filed Revision before the 1st respondent along with a stay application and it is stated the same was not disposed of and the Revision also is pending.

5. In the light of the facts and circumstances, the 1st respondent is directed to dispose of the Revision at the earliest point of time, preferably within a period of four weeks from the date of receipt of a copy of this order. It is also further directed that the 3rd respondent to complete

the enquiry within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, with the above directions, the Writ Petition is disposed of. No order as to costs.

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Justice P.S.Narayana

Date : 13-9-2007

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